

386.4442 Certificate of withdrawal of foreign business trust.

- (1) A foreign business trust authorized to transact business in this Commonwealth shall not withdraw from this Commonwealth until it obtains a certificate of withdrawal from the Secretary of State.
- (2) A foreign business trust authorized to transact business in this Commonwealth may apply for a certificate of withdrawal by delivering an application to the Secretary of State for filing. The application shall set forth:
 - (a) The name of the foreign business trust and the name of the state or country under whose law it is organized;
 - (b) A statement that it is not transacting business in this Commonwealth and that it surrenders its authority to transact business in this Commonwealth;
 - (c) A statement that it revokes the authority of its registered agent to accept service on its behalf and appoints the Secretary of State as its agent for service of process in any proceeding based on a cause of action arising during the time it was authorized to transact business in this Commonwealth;
 - (d) A mailing address to which the Secretary of State may mail a copy of any process served on the Secretary of State under subsection (2)(c) or (3) of this section; and
 - (e) A commitment to notify the Secretary of State in the future of any change in its mailing address.
- (3) After the withdrawal of the business trust is effective, service of process on the Secretary of State under this section shall be service on the foreign business trust. Upon receipt of process, the Secretary of State shall mail a copy of the process to the foreign business trust at the mailing address set forth under subsection (2) of this section.

Effective: June 26, 2007

History: Created 2007 Ky. Acts ch. 137, sec. 37, effective June 26, 2007.